IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CRIMINAL APPELLATE JURISDICTION

Criminal Application No. 3560 of 2004
In
Criminal Appeal No. 997 of 2004

Smt. Sasawa Savappa Mehetri .. Applicant
V/s.
The State of Maharashtra .. Respondent

Mr. R.R. Dave for the Applicant.
Mr. D.P. Adsule, APP. for the Respondent.

CORAM : V.M. KANADE, J.
DATED : 09.09.2004.

P.C.:-

1. Heard the learned counsel for the Applicant and the learned Assistant Public Prosecutor, appearing on behalf of the State. Applicant is convicted by the Trial Court and sentenced to suffer imprisonment for 7 years for an offence punishable under section 111 read with 376 Indian Penal Code and also under section 3, 4 and 5 of the Immemorial Traffic Prevention Act, 1956. The Accused No. 1 was released on bail by an order dated 10.8.2004 in Criminal Application No. 2485 of 2004. The only evidence against the present Applicant, appears to be in the form of a statement of PW. 5, who initially had stated in her statement before the Police that the applicant was running up a brothel. The said witness, however turned hostile. The Trial Court has observed that it is immamaterial that PW 5 has turned hostile and relied on the statement of PW 2 victim girl in order to came to the conclusion that the Applicant was running up a brothel.

2. The Applicant in my view is entitled to be released on bail, particularly, when the accused no. 1 is already been released on bail. The Applicant is to be released on the same terms and conditions, as imposed by the Trial Court. Applicant to report to Nagpada Police Station, once in a month.

(V.M. KANADE, J.)